

AMENDMENTS TO THE DRAWINGS:

The attached drawing(s) include changes to FIG. 6. The sheet containing FIG. 6 replaces the original sheet including FIG. 6. In FIG. 6, mislabeled items are corrected. Specifically, the direction labels for the current and the magnetic forces are corrected. The correction does not introduce new matter.

REMARKS

Claims 1 and 3-20 are pending. By this Amendment, the Specification is amended, the drawing FIG. 6 is replaced, claims 1, 9, 11, 17 and 20 are amended, and claim 2 is cancelled without prejudice or disclaimer. No new matter has been added.

The Specification in paragraph [0001] is amended to correctly identify the status of the parent application. The Specification at paragraphs [0026] through [0028] is amended to correct informality. The drawing FIG. 6 is replaced to correct transposed labeling for the current and magnetic forces, claim 1 is amended to include the allowable features of claim 2. Claim 2 is cancelled accordingly, without prejudice or disclaimer. Claims 9 and 20 are amended to clarify recited subject matter. Claim 11 is amended to correct informality, and claim 17 is amended to revise its dependency. For the following reasons, reconsideration is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §112:

Claims 17 and 19 are rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17 is amended to revise its dependency and obviate the rejection. Withdrawal of the rejection is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1 and 6-8 are rejected under 35 U.S.C. §102(e) as being anticipated by Kim et al. (U.S. Patent 6,466,529 B1). Claims 9, 10, 14, 15 and 20 are rejected under 35 U.S.C. §102(e) as being anticipated by Kawano (U.S. 2003/0012090 A1). The rejections are respectfully traversed.

Regarding claim 1, claim 1 is amended to include the allowable features of claim 2.

Regarding claims 9 and 20, Kawano fails to disclose or suggest an objective lens driving apparatus used with an optical pickup, comprising a coil assembly including mutually non-coplanar at least one focus coil, at least one tracking coil, and a tilt coil being entirely disposed between the magnetic members, as recited in claim 9, or an objective lens driving apparatus used with a pickup assembly, comprising a coil assembly including mutually non-coplanar at least one focus coil, at least one tracking coil and a tilt coil positioned entirely between the pair of magnets, as recited in claim 20.

Rather than being mutually non-coplanar, Kawano discloses a focus coil 3f and tracking coils 3tr formed coplanar on a printed circuit board 31 (see for example, Figs. 1 and 9 of Kawano). In various other figures, such as Figs. 8, 20, 21, 23, 24, 27 and 31, Kawano discloses various coplanar arrangements of the relevant coils.

Due to the foregoing, claim 1 is allowable over Kim, and claims 9 and 20 are patentably distinguishable over Kawano.

Claims 6-8, which depend from claim 1, are likewise patentable over the applied reference to Kim for at least the reasons discussed above, and for the additional features they recite. Additionally, claims 10, 14 and 15, which depend from claim 9, are likewise patentable over the applied reference to Kawano for at least the reasons discussed above, and for the additional features they recite.

Based on the foregoing, these rejections are respectfully requested to be withdrawn.

ALLOWABLE SUBJECT MATTER:

Claims 2-5, 11-13, 16 and 18 are indicated as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The features of claim 2 are added to claim 1 by this Amendment.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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